

LOS ANGELES POLICE COMMISSION

*REVIEW OF THE DEPARTMENT'S
GANG ENFORCEMENT DETAIL
SELECTION CRITERIA AUDIT,
Fiscal Year 2008-2009*



Conducted by the

OFFICE OF THE INSPECTOR GENERAL

ANDRÉ BIROTTE, JR.
Inspector General

June 29, 2009

**OFFICE OF THE INSPECTOR GENERAL
REVIEW OF THE DEPARTMENT'S
GANG ENFORCEMENT DETAIL SELECTION CRITERIA AUDIT**

PURPOSE

The Office of the Inspector General (OIG), pursuant to Consent Decree (CD) Paragraph 135, reviewed the Los Angeles Police Department's (Department) Gang Enforcement Detail (GED) Selection Criteria Audit (Audit). The Audit was completed in the third quarter of Fiscal Year 2008/2009 and received by the OIG on April 1, 2009. This review assessed the completeness, findings, and quality of the Department's Audit.

BACKGROUND ON THE DEPARTMENT'S AUDIT

The Audit, conducted by Internal Audits and Inspections Division (IAID), assessed the Department's compliance with CD Paragraphs 47(g), 106(b)(c)(d), and 107(a)(b)(c). Those Paragraphs, coupled with Department policies and procedures, address selecting officers into GED units, limiting their tour assignment, and reevaluating GED officers when certain sustained complaints and/or adverse judicial findings are received during their tour of duty.

IAID selected a sample of officers assigned to GED units and Community Law Enforcement and Recovery (CLEAR) units during Deployment Period (DP) No. 13, 2008 (December 7, 2008 through January 3, 2009), evaluating various GED packages.¹ Three different samples were used to evaluate a total of 12 audit objectives. Objective No. 1(d) was modified from last year and now contains six objectives that were evaluated separately. The samples were considered sufficient to make statistically valid Department-wide CD compliance determinations. As presented in Table No. 1 on the next page, the Audit found the Department met the 95 percent CD compliance standard in seven of 12 objectives, with compliance withheld in one objective. For the remaining four objectives, compliance rates were from 91 to 94 percent.

In addition, IAID conducted test work beyond the scope of the CD which was based on the Department's current policies and procedures² and reported the related findings in the Performance Audit Results section of the Audit Report.

¹ New GED officer selection packages shall contain an officer's Training Evaluation and Management System (TEAMS) II report, TEAMS Evaluation Report (TER), Performance Evaluation Reports and/or Transfer Applicant Data Sheet, and a GED selection/extension checklist.

² Current policy includes Office of the Chief of Police (OCOP) Notice 3.3.1 dated May 8, 2008; Special Order No. 43, 2005; Special Order No. 7, 2004; and Special Order No. 27, 2003.

TABLE NO. 1 – SUMMARY OF COMPLIANCE RATES REPORTED BY IAID

SAMPLE	CD ¶	OBJECTIVE NUMBER AND DESCRIPTION	COMPLIANCE RATE 2007/08	COMPLIANCE RATE 2008/09	
New Officer/ Sergeant Selections (Sample 1)	106(b)	1(a) - Eligibility Criteria for Selection of Officers	98% (62/63)	94% (58/62)	
	106(c)	1(b) - Eligibility Criteria for Selection of Supervisors	100% (18/18)	100% (19/19)	
	107(a)	1(c) – Reviewing Supervisors Documented Consideration of Sustained Complaints, Adverse Judicial Findings	98% (79/81)	95% (77/81)	
	107(b)	1(d) - Evaluation of the Selection Process (See Note 1)	63% (51/81)	i. 15.88	99% (80/81)
				ii. TER	99% (80/81)
				iii. TEAMS II Rept.	91% (74/81)
				iv. Oral Interview	96% (78/81)
				v. PERs	94% (76/81)
				vi. Dept. Personnel Package and Div. Employee Folder	93% (75/81)
				vii. UOFRD Contact	96% (78/81)
GED Tour Extensions (Sample 2)	106(d)	2 - Limited Tour Assignments	100% (39/39)	100% (16/16)	
Current Suitability (Sample 3)	107(c)	3 - Written Consideration of Certain Sustained Complaints or Adverse Judicial Findings Received During the Officer's Tour of Assignment	Withheld	Withheld	

Note 1: As a result of the OIG's prior review finding, Objective No. 1(d), Evaluation of the Selection Process [CD ¶ 107(b)], was divided into seven objectives to better identify areas warranting improvement. Had the methodology been consistent with the 2007/2008 audit, with just one objective, the compliance rate would have been 75%.

REVIEW METHODOLOGY

The OIG assessed the completeness, findings, and quality of IAID's Audit by reviewing the final Audit Report, Audit Work Plan, Audit work papers.³

IAID utilized three different samples of GED packages to evaluate the Department's compliance with the CD. Table No. 2 below depicts the number of GED packages evaluated by both IAID and the OIG.

TABLE NO. 2 – SUMMARY OF GED PACKAGES EVALUATED

Objective	Number of GED Packages Evaluated ⁴	
	by IAID	by OIG
Objective No. 1 (a-d) – “New Officer Selections”	81	37
Objective No. 2 – “Tour Extensions”	16	11
Objective No. 3 – “Current Suitability”	8	8
Total	105	56

The OIG discussed the results of this review with IAID and they indicated general agreement with the findings presented in this report. However, IAID responded to the matter regarding the inclusion of additional TEAMS II report versions in the GED officer selection packages. Although not in disagreement with this matter, IAID clarified why they did not report this matter.

REVIEW RESULTS

COMPLETENESS

To assess the Audit's completeness, the OIG reviewed IAID's Audit Report and supporting work papers to ensure applicable CD mandates were addressed. Per the Department's Annual Audit Plan (Fiscal Year 2008/2009), the Audit was to assess the Department's compliance with CD Paragraphs 47(g), 106(b)(c)(d), and 107(a)(b)(c). The OIG determined that the Audit sufficiently assessed the mandates in those Paragraphs. Additionally, based on the OIG's review of IAID's sampling documentation, it appears IAID selected from complete populations of GED officers and supervisors.

FINDINGS

To assess the Audit's findings, the OIG reviewed IAID's supporting work papers to ensure the findings were adequately supported and reviewed the Audit Report to ensure the findings were properly presented.

³ The OIG's review of supporting work papers was based on a randomly selected one-tail sample size calculation with a 95 percent confidence level, an expected error rate of six percent, and a plus precision of seven percent.

⁴ Not all GED packages were applicable to each objective.

Based on the OIG's review of GED packages, IAID's findings were well supported. However, the OIG noted the following non-Consent Decree matter for Objective No. 1(d) - Evaluation of the Selection Process that was not reported by IAID:

Non-Consent Decree Matter -- Inclusion of Additional TEAMS II Report Versions in GED Officer Selection Packages

According to the OCOP Notice dated May 8, 2008, and the Teams Evaluation Report form 1.78.04 (TER), *only* the "Promotion/Paygrade Advancement" version of the TEAMS II report shall be used in GED officer selection. All 37 GED officer selection packages reviewed by the OIG included the "Promotion/Paygrade Advancement" version of the TEAMS II report.

However, two selection packages also included the "Monitoring Purposes: Supervisory/Management Review" version of the TEAMS II report,⁵ and one package also included a "Final Selection Process/Transfer Process: For C/O's Use" version of the TEAMS II report.⁶ As noted in Table No. 3 below, the "Promotion/Paygrade Advancement" version of the TEAMS II report only includes *completed* complaint investigations with *Sustained* or *Guilty* dispositions, while the other two versions include *pending* complaint investigations and *completed* complaint investigations with other dispositions.

**TABLE NO. 3 – COMPLAINT INVESTIGATION DISPOSITIONS INCLUDED (✓)
ON VARIOUS VERSIONS OF TEAMS II REPORTS**

Complaint Investigation Disposition	"Promotion/ Paygrade Advancement" Version	"Monitoring Purposes: Supervisory/Manage- ment Review" Version	"Final Selection Process/Transfer Process: For C/O's Use" Version
Pending Investigations		✓	✓
Completed Investigations:			
<i>Sustained</i>	✓	✓	✓
<i>Guilty (Board of Rights)</i>	✓	✓	✓
<i>Not Resolved</i>		✓	✓
<i>Exonerated</i>		✓	
<i>Unfounded</i>		✓	
<i>Not Guilty (Board of Rights)</i>		✓	
<i>Other – No Misconduct</i>		✓	
<i>Other Judicial Review</i>		✓	✓
<i>Frivolous</i>		✓	
<i>Insufficient Evidence to Adjudicate</i>		✓	✓
<i>Duplicate or Consolidated Complaint</i>		✓	
<i>Employee Actions Could Be Different</i>		✓	✓
<i>Alternate Complaint Resolution</i>		✓	
<i>Demonstrably False</i>		✓	

⁵ Control Nos. 02RAMPSEL02, 02RAMPSEL06

⁶ Control No. 02RAMPSUPSEL01

IAID Management's Response

Consistent with its prior audits, IAID did not consider GED officer selection packages out of compliance if the packages included TEAMS II report versions in addition to the "Promotion/Paygrade Advancement" version. Furthermore:

- IAID's audit methodology did not include a review of GED applicants deselected from the application process. Hence, IAID did not consider whether additional TEAMS II report versions affected the selection process of GED applicants.
- IAID noted that the existing Department GED Checklist for *New Selection* requires supervisors to document their consideration of *all* complaints, while the GED Checklist for *Extension* requires supervisors to document their consideration of only *sustained* complaints. Hence, there may be some ambiguity as to whether *all* complaints or only *sustained* complaints should be reviewed. IAID identified this inconsistency in a prior audit, and has requested documentation to clarify the issue.

QUALITY

Based on the OIG's review, IAID's Audit was properly supervised and planned, in that the Audit's methodology allowed for proper assessments of CD mandates. Additionally, the Audit Report properly delineated the Audit's objectives, scope, and the status of prior audit recommendations. Finally, the Audit Report was issued in a timely manner (within a year of IAID's last audit), used a fair and unbiased tone, and was found to be convincing, clear, and concise.

OTHER RELATED MATTER

Documentation of Suitability Interviews

IAID reported that only 50 percent (45 of 90) of the suitability interviews for officers and supervisors assigned to a GED unit met the requirements of Special Order No. 7, 2004 regarding the "summary of discussion" documentation to be on the TEAMS Evaluation Report:⁷

Summary of discussion detailing suitability for GED assignment, emphasizing traits that indicate the selectee has demonstrated proficiency in a variety of law enforcement activities, necessary interpersonal and administrative skills, cultural and community sensitivity, and a commitment to police integrity.

To address this finding, IAID noted that Planning and Research Division (PRD) indicated it was reviewing further revisions to the GED Selection Checklist – New Selection, Form 12.16.0.

⁷ IAID reported this finding as "low risk." However, the OIG considers it to be medium/high risk, given that the Consent Decree was imposed largely because of the actions of some officers selected to gang units.

PRD advised the OIG prior to conclusion of this review that revisions to this checklist have been completed and sent to IAID for approval.

CONCLUSION

Overall, based on the OIG's review of Audit Division's GED Selection Criteria Audit, it appears the Audit was complete, performed in a quality manner, and the findings were well supported. The Audit appears to have been thoughtfully planned, carefully executed, and comprehensively reported.